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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(OS) 2365/2015

PARUL GUPTA

..... Plaintiff

Through Mr. Ravi Gupta, Sr. Adv. with
Mr. Sunil Magan and Mr. Yudhister, Advs.

versus

SIDDHARTH SAREEN & ORS

..... Defendant

Through Mr. Harish Malhotra, Sr. Adv. with
Mr. Anil Sharma, Mr. N.s. Bajwa and Mr. Jaskaran
Singh, Adv. for D-1.
Mr. Pramod Saigal, Adv. with Mr. Shikhar Sarin,
Adv. for D-2.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

29.01.2018

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IA No.1307/2018

This application is filed under Order 23 Rule 3 CPC seeking to dispose of the suit in terms of the Settlement Agreement dated 10.01.2018. The parties to the settlement agreement i.e. the plaintiff and defendants No. 1 and 2 have accepted the Will dated 14.07.2010 executed by Late Sh. Sudhir Sareen. It has been pointed out that defendant No.3 had earlier filed a no objection to the said Will of her late father dated 14.07.2010.

None has appeared for defendant No.3 or has been appearing for defendant No.3. Defendant No.3 is proceeded ex parte.

The terms of the settlement are legal and valid. The parties to the

settlement agreement shall remain bound by the settlement agreement.

Learned counsel for the plaintiff and defendants No.1 and 2 submit that the suit be decreed in terms of the settlement agreement and that in view of the fact that defendant No.3 has accepted the Will, no further order needs to be passed against defendant No.3.

The application is allowed.

CS(OS) 2365/2015

In view of the above, the suit is disposed of in terms of the settlement binding the plaintiff and defendants No. 1 and 2 to the terms and conditions of the settlement agreement.

As agreed by the parties to the settlement agreement, the undertaking given by defendants No. 1 and 2 in terms of the order of the Division Bench dated 29.02.2016 is discharged.

JAYANT NATH, J

JANUARY 29, 2018

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